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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Rainer HOFFMANN, et al.

Serial No. : 09/508,907

Filed : May 24, 2000

For : ACIDIC ADDITION SALTS OF MORPHINE
ALKALOIDS AND THE APPLICATION
THEREOF

Group Art Unit : 1615

Examiner : Isis A. D. Ghali

FAX RECEIVED

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GROUP 1600

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C. Bruce Hamburg
(Name)

[Signature]
(Signature)

PETITION TO WITHDRAW HOLDING OF ABANDONMENT WITH
TECHNOLOGY CENTER 1600, REISSUE FINAL OFFICE ACTION AND
RESTART STATUTORY PERIOD FOR RESPONDING THERETO

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

It is respectfully requested that the United States Patent and Trademark Office
(USPTO) withdraw the holding of abandonment in the present application, reissue

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the final Office Action and restart the statutory period for responding to the final Office Action.

On or about January 21, 2003, Examiner Ghali telephoned Counsel concerning the present application. It was then that Counsel became aware that a final Office Action was issued for the above referenced application on June 10, 2002. Examiner Ghali transmitted a facsimile copy of the final Office Action to Counsel. A copy of this transmission is included as Exhibit A

Counsel's office never received the final Office Action in the above referenced application prior to the facsimile transmission received on January 21, 2003.

Counsel reviewed the file of the present application and was unable to find a copy of the final Office Action mailed from the USPTO.

Counsel's office maintains a docket book where all documents that are due in the USPTO are recorded in the docket book. Identifying information for the documents that are due include due date, Counsel's docket number, USPTO Serial Number and item due for the referenced application. Copies of Counsel's docket

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book for the date of September 10, 2002, the three month date, and December 10, 2002, the six month date are attached as Exhibits B and C.

Counsel never received a final Office Action in the above referenced application. If Counsel's office had received a final Office Action, the above referenced application would have been entered into Counsel's docket book for September 10, 2002 and December 10, 2002 for responding to the final Office Action. (Counsel's docket number for this application is F-6826.)

Counsel's office also maintains a system where docketing information is entered on the front of each file concerning the due dates for documents due in each respective file.

It is further indicated that a final Office Action was never received in the above referenced application because the front of the file (Exhibit D) fails to include any docketing information pertaining to the need to respond to the final Office Action.

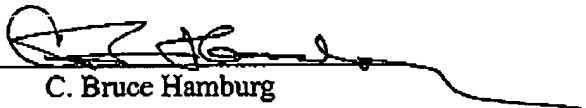
On January 30, 2003, Counsel received an official Notice of Abandonment from the USPTO, attached as Exhibit E.

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Under the circumstances set forth above, it is respectfully submitted that the holding of abandonment should be withdrawn, the final Office Action should be reissued and the statutory period for responding to the final Office Action be restarted.

Respectfully submitted,
JORDAN AND HAMBURG LLP

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enc: Exhibits A-E